

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

LEON WEINGRAD, individually and on behalf of all others similarly situated,

Plaintiff,

v.

FIRST AMERICAN HOME WARRANTY CORPORATION,

Defendant.

Case No. 2:24-cv-05488

DEFENDANT'S MOTION TO DISMISS PLAINTIFF'S COMPLAINT

Defendant First American Home Warranty Corporation (“First American”) hereby moves to dismiss the Complaint (*see* Dkt. 1) filed by Plaintiff Leon Weingrad (“Plaintiff”) in this matter pursuant to Fed. R. Civ. P. 12(b)(6) on the grounds that it fails to state a claim upon which relief can be granted. First American also moves to dismiss the Complaint pursuant to Fed. R. Civ. P. 12(b)(1) on the grounds that Plaintiff lacks standing to pursue his prayer for injunctive relief.

The specific grounds for this motion are set forth in First American’s Memorandum of Law, all documents and information properly subject to judicial notice, all other pleadings and papers filed or to be filed in this action, and any argument, briefing and exhibits that may be presented to the Court at any hearing, if scheduled.

WHEREFORE, Defendant First American respectfully requests that the Court grant this motion and dismiss the Complaint for failure to state a claim, in addition to granting all other relief deemed just and proper. A proposed order has been submitted herewith for the Court’s consideration.

Dated: December 9, 2024

Respectfully submitted,

HANGLEY ARONCHICK
SEGAL PUDLIN & SCHILLER

By: /s/ Eitan G. Kagedan

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